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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/804,034	03/13/2001	James A. Johnston	10004150	8839

24737 7590 08/06/2004

PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
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EXAMINER

NGUYEN, CINDY

ART UNIT PAPER NUMBER

2171

DATE MAILED: 08/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/804,034

**Applicant(s)**

JOHNSTON ET AL.

**Examiner**

Cindy Nguyen

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>06/03/02</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This is in response to application filed on 03/13/01 in which claims 1-17 are presented for examination.

#### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-16 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter, the claims are not useful in technical art therefore they are non statutory and also they have non-function description material and function relationship. This differs, for instance, from a computer implemented method.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 7 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claimed "characteristic of edits" has not been described such that it would enable one skilled in the art to make and/or use the same.

#### ***Claim Rejections - 35 USC § 102***

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

**Claims 1-3, 5-9, 13 and 15-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Novak et al. (U.S 6393419) (Novak).**

Regarding claims 1 and 2, Novak discloses: A process and a device comprising: monitoring a database to detect changes to accessed data in the database (col. 4, lines 54-67, Novak); and updating the accessed data during use of the data in accordance with synchronization rules in response to the detected changes (col. 6, lines 39-55, Novak).

Regarding claims 3, 5, 15 and 17, Novak discloses: A process and a device and a computer readable medium comprising: accessing data stored in a database (col. 4, line 15, Novak); inputting the accessed data to a form ( client A modifies record X, col. 4, line 30-53, Novak); using the form with the inputted accessed data by a first user ( client A modifies record X, col. 4, line 30-53, Novak); monitoring the database to detect changes to the accessed data by a second user while the form is being used by the first user ( client A modifies record X, col. 4, line 54-67, Novak); and updating the accessed data in the form while being used by the first user in accordance with rules corresponding to the detected changes (col. 6, line 39-55, Novak).

Regarding claim 6, all the limitations of this claim have been noted in the rejection of claim 5. In addition, Novak discloses: wherein the rules synchronize simultaneous changes made by the first user and the second user to the accessed data (col. 4, line 38-53, Novak).

Regarding claim 7, all the limitations of this claim have been noted in the rejection of claim 5. In addition, Novak discloses: wherein the rules are based upon characteristic of edits by a second user to the accessed data and characteristic of the accessed data (col. 4, line 50-53, Novak).

Regarding claim 8, all the limitations of this claim have been noted in the rejection of claim 5. In addition, Novak discloses: wherein use of the accessed data by the first user includes editing the accessed data (col. 4, line 38-53, Novak).

Regarding claim 9, all the limitations of this claim have been noted in the rejection of claim 5. In addition, Novak discloses: wherein the processor provides update notification to the first user while the form is being used by the first user (col. 8, line 40-56, Novak).

Regarding claim 13, all the limitations of this claim have been noted in the rejection of claim 5. In addition, Novak discloses: wherein the inputted accessed data is stored locally and the database is stored remotely ( data record at database manager, col. 4, line 38-53, Novak).

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Regarding claim 16, all the limitations of these claims have been noted in the rejection of claim 3. It is therefore rejected as set forth above. In addition Novak discloses: a server storing data in a database (101, fig. 1, Novak); and clients (102-106, fig. 1, Novak) connected to the server via a network (90, fig. 1, Novak).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 4, 10 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Novak et al. (U.S 6393419) (Novak) in view of Ainsbury et al. (U.S 6078924) (Ainsbury).**

Regarding claim 4, all the limitations of this claim have been noted in the rejection of claim 3. In addition, Novak discloses: further comprising: storing the inputted accessed data used by the first user in the database (col. 4, lines 45-53, Novak). However, Novak didn't disclose: displaying update status of the accessed data in accordance with the updating. On the other hand, Ainsbury discloses: displaying update status of the accessed data in accordance with the updating (col. 27, lines 23-32, Ainsbury). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the steps for displaying update status of the accessed data in accordance with the updating in the system of Novak as taught by Ainsbury. The motivation being enable the user viewing and selecting from history of interactions in the window's system history (col. 27, lines 23-32, Ainsbury).

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Regarding claim 10, all the limitations of this claim have been noted in the rejection of claim 9. In addition, Novak/Ainsbury discloses: wherein the update notification comprises displaying update history information corresponding to each accessed data in the form (col. 27, lines 23-32, Ainsbury).

Regarding claim 14, all the limitations of this claim have been noted in the rejection of claim 5. In addition, Novak/Ainsbury discloses: wherein the processor further maintains a change log of the accessed data (col. 25, lines 19-35, Sugano).

**Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Novak et al. (U.S 6393419) (Novak) in view of Ainsbury et al. (U.S 6078924) (Ainsbury) and further in view of Sugano et al. (U.S 6205478) (Sugano).**

Regarding claim 11, all the limitations of this claim have been noted in the rejection of claim 10. However, Novak/Ainsbury didn't disclose: wherein the update notification includes displaying the accessed data in different colors in accordance with the updating. On the other hand, Sugano discloses: wherein the update notification includes displaying the accessed data in different colors in accordance with the updating (col. 25, lines 19-35, Sugano). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include wherein the update notification includes displaying the accessed data in different colors in accordance with the updating in the combination system of Novak/Ainsbury as taught by Sugano. The motivation being enable the system notifies signal in the form of a color in a window of

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the corresponding UIO is displayed in a reverse mode or different color from other no-updated (col. 25, lines 19-35, Sugano).

Regarding claim 12, all the limitations of this claim have been noted in the rejection of claim 10. In addition, Novak/Ainsbury discloses: wherein the update notification includes associating comment bubbles with the accessed data (col. 25, lines 19-35, Sugano).

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

*CN*

Cindy Nguyen

July 30, 2004

*Wayne*  
WAYNE AMSBURY  
PRIMARY PATENT EXAMINER